

REMARKS

Status of the Claims

Applicants have amended claims 1-3, 6, 8-10, 13-18, and 21-25. Support for the amendment can be found throughout the specification and figures, for example, in paragraphs 21, 40-42, and 59-62 of the specification and in Figure 6. No new matter has been added. Claims 1-3, 6-10, 13-18, and 21-25 are currently under consideration.

Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 1-3, 6, 7, 9, 10, 13, 16, 18, 21, and 24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pre-Grant Pub. No. 2005/0086138 to Prange (“Prange”) in view of U.S. Pre-Grant Pub. No. 2003/0083913 to Wolfe et al. (“Wolfe”), and rejected claims 8, 14, 15, 17, 22, 23, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Prange in view of Wolfe, and further in view of U.S. Pre-Grant Pub. No. 2002/0042715 to Kelley (“Kelley”). Applicants respectfully traverse these rejections.

For a proper rejection under section 103(a), the Examiner must clearly articulate the reasons why the claimed invention would have been obvious. *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741, 82 USPQ2d 1385, 1396 (2007). Where the prior art fails to disclose each and every element of a claim, the Examiner must explain why the differences between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. M.P.E.P. § 2141(III), p. 2100-118 (Rev. 6, Sept. 2007). This explanation must include a clear basis for concluding that it would have been obvious to one of ordinary skill in the art to bridge the gap between the prior art and claimed invention. *Id.* The rejection cannot be based merely on conclusory statements. *KSR*, 127 S.Ct. at 1741, 82 USPQ2d at 1396.

In this case, Prange in view of Wolfe fails to teach or suggest each and every element of claims 1-3, 6, 7, 9, 10, 13, 16, 18, 21, and 24, and Prange in view of Wolfe and further in view of Kelley fails to teach or suggest each and every element of claims 8, 14, 15, 17, 22, 23, and 25. Moreover, the Examiner has failed to provide a clear basis as to why it would have been obvious to bridge the gap between the claims and the cited references. Furthermore, the differences between the claims and the cited references are such that the claims are non-obvious in view of the cited references.

Independent claim 1 recites an apparatus for providing separable billing services that includes, *inter alia*, a memory operatively connectable to [a mobile communications terminal] for

storing a set of identifiers that identify digital processing devices in [a] satellite communications system, wherein each identifier in the set of identifiers is assigned a communication type; and a processor operatively connectable to the MCT for receiving a data packet that includes a source address identifying an originator of the data packet, comparing the source address to the set of identifiers to find a matching identifier, determining an assigned communication type assigned to the matching identifier, and adjusting at least one of a first account or a second account associated with the MCT based on the assigned communication type.

Independent claim 10 recites a method for providing separable billing services that includes, *inter alia*, receiving a data packet that includes a source address identifying an originator of the data packet; comparing the source address to a set of identifiers stored in a memory to find a matching identifier, wherein the set of identifiers identify digital processing devices in [a] satellite communications system [capable of communicating with an MCT], and each identifier in the set of identifiers is assigned a communication type; determining an assigned communication type assigned to the matching identifier; and adjusting at least one of a business account or a personal account associated with the MCT based on the assigned communication type.

Independent claim 18 recites a signal-bearing medium in a mobile communications system tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method for providing separable billing services, the method includes, *inter alia*, receiving a data packet via a satellite communications system that includes one or more digital processing devices capable of communicating with [an MCT], wherein the data packet includes a source address identifying an originator of the data packet; comparing the source address to a set of identifiers stored in a memory to find a matching identifier, wherein the set of identifiers identify the digital processing devices in the satellite communications system, and each identifier in the set of identifiers is assigned a communication type; determining an assigned communication type assigned to the matching identifier; and adjusting at least one of a business account or a personal account associated with the MCT based on the assigned communication type.

In contrast, Prange discloses a mobile radio terminal having a user input that allows a caller to indicate a service-related or private nature of a phone call (Prange, Abstract; ¶¶ 7 and 11). The caller enters the nature of the call via a softkey or a rocker switch after keying in the directory number to be dialed, and the mobile radio terminal sends a short message indicating the nature of the call based on the entry made by the caller (FIG. 1; ¶ 11). In other words, Prange discloses determining the nature of a call based on an entry made by the caller in addition to the dialed

directory number when the call is being made, but fails to teach or suggest at least receiving a data packet that includes a source address identifying an originator of the data packet; comparing the source address to a set of identifiers stored in a memory to find a matching identifier, wherein the set of identifiers identify digital processing devices in [a] satellite communications system [capable of communicating with an MCT], and each identifier in the set of identifiers is assigned a communication type; determining an assigned communication type assigned to the matching identifier; and adjusting at least one of a business account or a personal account associated with the MCT based on the assigned communication type, as recited in claim 10 and similarly recited in claims 1 and 18.

Accordingly, and as recognized by the Examiner on pages 3 and 7 of the Office Action, Prange fails to teach or suggest an apparatus for providing separable billing services as recited in claim 1 and a method for providing separable billing services as recited in claim 10 and similarly recited in claim 18. Instead, the Examiner alleged that the Wolfe cures the deficiencies of Prange with respect to claims 1, 10, and 18, and that it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify Prange based on the teachings of Wolfe (Office Action, pp. 3 and 4). Applicants respectfully disagree.

Specifically, Wolfe discloses a method for providing virtual capacity to a service provider (Wolfe, Abstract). The service provider solicits for services from third-party service providers and awards the services to one of the third-party service providers (§ 12). The service provider then instructs a network management center to redirect transmission from a wireless communication device belonging to the third-party service provider to the service provider, thus allowing the third-party service provider to provide services on behalf of the service provider (FIG. 4; §§ 53-55). However, Wolfe fails to cure the deficiencies of Prange. Therefore, Prange and Wolfe, taken alone or in combination, fail to disclose, teach, or suggest each and every element recited in claims 1, 10, and 18.

Next, Kelley fails to cure the deficiencies of Prange in view of Wolfe with respect to claims 8, 14, 15, 17, 22, 23, and 25, which depend from one of claims 1, 10, and 18. In particular, Kelley discloses a system for billing phone or Internet-based service transactions to either an employer or an employee based on a nature of the service transactions (Kelley, Abstract; § 12). Kelley's system differentiates the nature of the service transactions based on whether they are made to a list of registered numbers or universal resource indicators (§§ 32 and 35). In other words, Kelley teaches billing the employer for a service transaction if the number or resource indicator of the targeted

communication device is on the employer's registered list. However, like Prange and Wolfe, Kelley also fails to teach or suggest at least receiving a data packet that includes a source address identifying an originator of the data packet; comparing the source address to a set of identifiers stored in a memory to find a matching identifier, wherein the set of identifiers identify digital processing devices in [a] satellite communications system [capable of communicating with an MCT], and each identifier in the set of identifiers is assigned a communication type; determining an assigned communication type assigned to the matching identifier; and adjusting at least one of a business account or a personal account associated with the MCT based on the assigned communication type, as recited in claim 10 and similarly recited in claims 1 and 18. Furthermore, the Examiner has failed to provide a clear basis as to why the differences between the cited references and claims 1, 10, and 18 would have been obvious. The Examiner merely alleged that that one of ordinary skill in the art would modify Prange and Wolfe based on Kelley to delineate responsibility for payment of billings due to use of communication devices (Office Action, p. 8). Applicants respectfully disagree.

The Examiner's reasoning provides no basis why it would have been obvious to modify the mobile radio terminal disclosed in Prange based on the teachings of Kelley to include at least receiving a data packet that includes a source address identifying an originator of the data packet; comparing the source address to a set of identifiers stored in a memory to find a matching identifier, wherein the set of identifiers identify digital processing devices in [a] satellite communications system [capable of communicating with an MCT], and each identifier in the set of identifiers is assigned a communication type; determining an assigned communication type assigned to the matching identifier; and adjusting at least one of a business account or a personal account associated with the MCT based on the assigned communication type, as recited in claim 10 and similarly recited in claims 1 and 18. Moreover, Prange specifically teaches allowing a caller to indicate a service-related or private nature of a phone call based on an entry made by the caller in addition to a dialed directory number when the call is being made (Abstract; ¶¶ 7 and 11). In contrast, Kelley teaches billing an employee for calls made by the employee based on an employer's registered list, but not based on the employee's input at the time of the calls (Kelley, ¶¶ 12, 32, and 35). Thus, Prange teaches away from modifying its mobile radio terminal, which allows a caller to input a service-related or private nature of a phone call in addition to the dialed number and at the time of the call, based on the teachings of Kelley as alleged by the Examiner. Furthermore, these

differences are so great that the elements of claims 1, 10, and 18 are non-obvious in view of Prange, Wolfe, and Kelley.

For at least the foregoing reasons, Applicants submit that Prange and Wolfe, taken alone or in combination, fail to teach or suggest an apparatus for providing separable billing services as recited in claim 1 and a method for providing separable billing services as recited in claim 10 and similarly recited in claim 18. Moreover, Kelley fails to cure the deficiencies of Prange and Wolfe with respect to claims 8, 14, 15, 17, 22, 23, and 25, which depend from one of claims 1, 10, and 18.

Accordingly, Applicants submit that claims 1, 10, and 18 are in condition for allowance, as are claims 2, 3, 6-9, 13-17, 21-25 at least by virtue of their respective dependencies from one of allowable claims 1, 10, and 18. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the § 103(a) rejections of the claims.

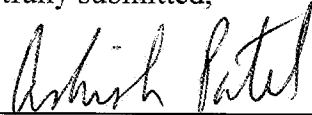
CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims. This is believed to be a complete and proper response to the Examiner's Office Action.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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